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April 19, 2021

VIA ECF

The Honorable George B. Daniels
United States District Judge
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Courtroom 11A
New York, NY 10007-1312

Re: *Ciccarello v. Alibaba Group Holding Limited*, Case No. 1:20-cv-09568-GBD; *Romnek v. Alibaba Group Holding Limited*, Case No. 1:20-cv-10267-GBD; *Elissa Hess, as Trustee for the EH Living Trust v. Alibaba Group Holding Limited*, Case No. 1:21-cv-00136-GBD

Dear Judge Daniels:

We, the undersigned, write jointly on behalf of Plaintiffs Laura Ciccarello, Robert Romnek, and Elissa Hess, as Trustee for the EH Living Trust (collectively, “Plaintiffs”) and Defendants Alibaba Group Holding Limited, Daniel Zhang, and Maggie Wu (collectively, “Defendants”) in the above-captioned actions to request guidance concerning the Initial Pretrial Conference set for April 27, 2021 at 10:30 a.m. *See Ciccarello v. Alibaba Group Holding Ltd.*, Case No. 1:20-cv-09568-GBD (the “*Ciccarello Action*”), Dkt. No. 33.

If the Court wishes to address the below-described pending motions for appointment as lead plaintiff on April 27, 2021, the undersigned are available to participate. However, if the Court does not anticipate addressing those issues at the conference, the parties would respectfully request adjournment of the conference until such a time as a lead plaintiff has been selected and the parties can meet and confer about a schedule for future proceedings.

Background

The above-captioned actions allege violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”). The PSLRA requires that plaintiffs alleging class action claims under the Exchange Act publish a notice advising members of the putative class of the pendency of the action, and provides that any member

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of the putative class may move the court to serve as lead plaintiff of the putative class within sixty days after the notice is published. 15 U.S.C. § 78u-4(a)(3)(A).

Pending before the Court are four motions for consolidation of the above-captioned actions, appointment as lead plaintiff, and approval of lead counsel. *See Ciccarello* Action, Dkt. Nos. 6, 9, 13, 16. One of the lead plaintiff movants filed a notice of non-opposition to the competing lead plaintiff motions. Dkt. No. 25. Additionally, on April 15, 2021, the Court entered a stipulation that Defendants need not answer or otherwise respond to the complaint prior to the appointment of lead plaintiff, and that within ten days of the Court's order appointing lead plaintiff, the parties will confer and submit a proposed schedule. Dkt. No. 40.

No party has previously requested an adjournment of the conference.

* * *

We appreciate the Court's attention to this matter and are available at the Court's convenience should Your Honor have any questions.

Respectfully,

/s/ Stephen P. Blake
Stephen P. Blake
Counsel for Defendants

/s/ Kara M. Wolke
Kara M. Wolke
*Counsel for Plaintiff Laura Ciccarello and
Lead Plaintiff Movant Salem Gharsalli*

/s/ J. Alexander Hood II
J. Alexander Hood II
*Counsel for Plaintiff Robert Romnek and Lead
Plaintiff Movant Dineshchandra Makadia*

/s/ Samuel H. Rudman
Samuel H. Rudman
*Counsel for Plaintiff Elissa Hess, as Trustee
for the EH Living Trust and Lead Plaintiff
Movant 1199 SEIU Health Care Employees
Pension Fund*

cc: Counsel of Record